

# EXHIBIT Q



★ VIRGINIA ★  
DEPARTMENT *of* ELECTIONS

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# **Annual List Maintenance Report**

**September 1, 2023 – August 31, 2024**

## Executive Summary

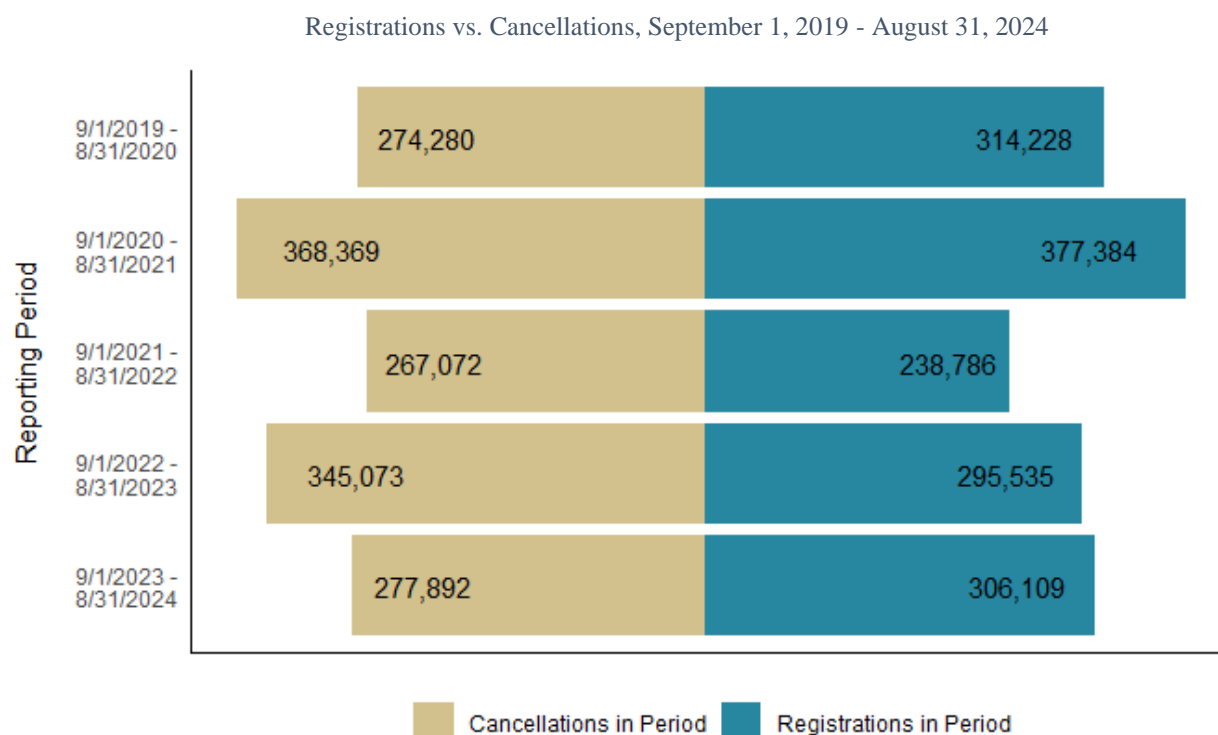
The Department of Elections (ELECT) is pleased to provide the 2024 Annual List Maintenance Report to the members of the House and Senate Privileges and Elections Committees of the Virginia General Assembly. This report details the list maintenance activities undertaken to maintain the Virginia Voter and Election Registration Information System (VERIS) between September 1, 2023 and August 31, 2024 in accordance with the Code of Virginia §§ 24.2-404 (F) and 24.2-404.4 (C).

## Overview

Virginia's list of registered voters is updated daily to reflect changes in the voting population. New registrations increase the number of voters, while individuals moving within or outside the Commonwealth alter the voter rolls through address changes or removals. The list is also updated to reflect changes in voter eligibility, such as when a registrant is convicted of a felony, identified as a non-citizen, has their rights restored, or when a qualified voter turns eighteen or passes away. These ongoing adjustments ensure that the list of registered voters remains current and accurate for each election.

The Code of Virginia requires ELECT to use a variety of sources and processes to maintain this list, thereby bolstering the accuracy and fairness of Virginia elections. In addition to these statutory requirements, ELECT utilizes business processes and safeguards to minimize duplicate registrations, remove out-of-state registrants, and identify voters who may have died, all while adhering to state and federal requirements for voter eligibility, notice, and due process.

As of August 31, 2024, a total of 6,280,912 individuals are registered to vote in Virginia. For this reporting period, 306,109 individuals registered to vote, and 277,892 voter registrations were cancelled after following the various processes for voter registration list maintenance.



## Background

The National Voter Registration Act of 1993 (NVRA) sets forth certain requirements with respect to the administration of voter registration and requires states to implement procedures to maintain accurate and current voter registration lists. These procedures are commonly referred to as ‘list maintenance’. The foundation for list maintenance processes administered in the Commonwealth of Virginia is established in Title 24.2 Chapter 4 of the Code of Virginia. The NVRA does not permit a list maintenance program to remove registrants from the list of registered voters simply due to their failure to vote. This prohibition is intended to prevent selective or discriminatory voter removal practices. Ultimately, the NVRA divides the required list maintenance programs into two major areas: cancellations and confirmations.

Under the Code of Virginia, ELECT is required to provide the following information to general registrars for voter registration list maintenance:

### *Change of Address – Va. Code §§ 24.2-404(A)(4) and 24.2-404.4*

- A list of all persons no longer qualified to vote in the county or city where they are registered due to removal of their residence;<sup>1</sup> and,

<sup>1</sup> See the Code of Virginia § 24.2-404(A)(4)

- Duplicate registrations identified from comparing other states' registration and voting information.<sup>2</sup>

### **Felony Convictions – *Va. Code §§ 24.2-409 and 24.2-409.1***

- A monthly list of all persons convicted of a felony during the preceding month and a comprehensive annual list of all persons ever convicted of a felony from Virginia's Central Criminal Records Exchange (CCRE);<sup>3</sup>
- Persons convicted of a felony from information sent by a United States attorney pursuant to the NVRA;<sup>4</sup>

### **Restoration of Rights – *Va. Code § 53.1-231.2***

- A list of persons convicted of a felony who have had their voting rights restored.<sup>5</sup>

### **Deaths – *Va. Code §§ 24.2-408 and 24.2-404.3***

- A weekly list of all persons 17 years of age or older who have died in the Commonwealth from the Virginia Department of Health (VDH);<sup>6</sup> and
- A list of deceased persons maintained by the Social Security Administration (SSA) reviewed on or before October 1 of each year.<sup>7</sup>

### **Adjudications – *Va. Code § 24.2-410***

- A monthly list of all persons adjudicated incapacitated by a court.<sup>8</sup>

### **Non-Citizens – *Va. Code §§ 24.2-404(A)(4) and 24.2-410.1***

- A list of all persons declared not to be United States citizens by reports from the Department of Motor Vehicles (DMV) or from ELECT based on information received from the Systematic Alien Verification for Entitlements Program (SAVE Program).<sup>9</sup>

## **List Maintenance Operations**

### **The Five-Step Process**

Virginia law requires local general registrars in each of the Commonwealth's 133 localities to make determinations related to individuals' eligibility to register and remain on the list of registered voters.<sup>10</sup> The Department of Elections supports the general registrars in routine list maintenance tasks through a standard five-step process.

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<sup>2</sup> See the Code of Virginia § 24.2-404.4

<sup>3</sup> See the Code of Virginia § 24.2-409

<sup>4</sup> See the Code of Virginia § 24.2-409.1

<sup>5</sup> See the Code of Virginia § 53.1-231.2

<sup>6</sup> See the Code of Virginia § 24.2-408

<sup>7</sup> See the Code of Virginia § 24.2-404.3

<sup>8</sup> See the Code of Virginia § 24.2-410

<sup>9</sup> See the Code of Virginia § 24.2-427

<sup>10</sup> See the Code of Virginia §§ 24.2-114 and 24.2-427

First, the ELECT receives a list from a statutorily mandated data source containing information for classes of persons who are either prohibited from voting in the Commonwealth or require confirmation of information on their registration. Lists containing information for prohibited voters, such as lists containing decedents, may be used to cancel voter registrations. Lists containing information such as address changes may be used to confirm voter registrations. The process described here relates to information used to cancel voter registrations. The workflow for confirming voter registrations due to address changes is described in detail in the section titled ‘Confirmation Mailing’ further in this report.

Second, ELECT compares the list it receives against the list of registered voters to identify potential matches between the two lists. The process of comparing records between lists and identifying similar records is referred to as record matching. The Department uses a standardized methodology to match records received against the list of registered voters.

Third, ELECT notifies the appropriate general registrars of any potential matches between the list received and the list of voters in their localities.

Fourth, general registrars review the potential matches the Department makes available to them. Ultimately, the general registrars are responsible for either approving or rejecting a potential match. If a general registrar approves a potential match, the matching voter’s registration will be cancelled. If a general registrar rejects a potential match, it will remove the potential match from consideration and leave the list of registered voters unchanged.

Fifth, the voter is notified that their voter registration is cancelled. ELECT provides general registrars with standardized cancellation notices through VERIS that are used to notify voters of their cancellation for any reason. The notice is sent to the cancelled voter’s address on their registration record and by email if one was provided.<sup>11</sup> In the event a voter is cancelled due to being deceased, VERIS will generate a cancellation letter expressing condolences to “The Family of” the deceased former voter.

## Staff

Keeping Virginia’s registered voter list as up to date as possible requires a small team of individuals who are dedicated to list maintenance activities. The development of a full-time list maintenance team came in response to recommendations presented by the Joint Legislative Audit and Review Commission (JLARC) in its September 2018 ‘Operations and Performance of Virginia’s Department of Elections’ report.<sup>12</sup> Concerted efforts to build and improve ELECT’s list maintenance team have been ongoing since 2019. With the 2019 budget process, two full-time equivalents (FTE) were added to ELECT’s team in fiscal year (FY) ’20. Further during the

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<sup>11</sup> See the Code of Virginia § 24.2-427(B)

<sup>12</sup> Joint Legislative and Audit Review Commission, Operations and Performance of Virginia’s Department of Elections, September 10, 2018

2024 General Assembly Session, funds were allocated for one additional FTE position in FY '25. ELECT pays for its list maintenance activities through its operating general funds.

### Nationwide Partners

ELECT contracts with *Melissa Data* to conduct its National Change of Address (NCOA) mailings and with the *National Technical Information Service* (NTIS) to compare the voter list with the Social Security Administration's Limited Access Death Master File (LADMF). Additionally, ELECT subscribes to the *National Association for Public Health Statistics and Information Systems* (NAPHSIS) to confirm the death of a registered voter out of state. These tools are necessary in ensuring that ELECT and general registrars can meet statutory requirements related to list maintenance activities and are explained in greater detail throughout this report.

### Executive Orders

The accuracy of ELECT's list maintenance processes is contingent upon the quality and efficiency of the data provided to ELECT. The shared responsibility of data used for list maintenance is highlighted by Executive Order 31<sup>13</sup> and Executive Order 35<sup>14</sup> which were signed by Governor Youngkin in June and August of 2024, respectively. Since Executive Order 31, ELECT has signed new Memorandums of Understanding (MOUs) (also referred to as 'data sharing agreements') with the Virginia State Police (VSP), the VDH, and the DMV. These interagency data sharing agreements have led to a review of data sharing standards that impact the information provided to ELECT and have enhanced interagency collaboration. Additionally, since Executive Order 35, the frequency in which ELECT receives non-citizen data from the DMV has increased from monthly to daily.

## Virginia's List Maintenance Processes and Procedures

### Comparison of Voter Registration Data with Other States

ELECT utilizes a variety of resources to compare voter registration data with other states. The Department receives information regarding individuals that may have moved out of Virginia through voter self-reports, data sharing agreements, National Change of Address (NCOA) reports, and license surrender reports from the DMV. ELECT also provides information for voters registered in Virginia to other states for the purposes of maintaining their lists of registered voters.

### Voter Self-Reports

Voter self-reports support list maintenance efforts not only for the Commonwealth of Virginia, but for other states as well. When an individual completes a Virginia voter registration

<sup>13</sup> <https://www.governor.virginia.gov/media/governorvirginiagov/governor-of-virginia/pdf/eo/EO-31-Establishment-of-Multi-Agency-Data-Sharing-Protocols-Regarding-Voter-List-Maintenance.pdf>

<sup>14</sup> <https://www.governor.virginia.gov/media/governorvirginiagov/governor-of-virginia/pdf/eo/EO-35-Comprehensive-Election-Security-Ensuring-Legal-Voters-and-Accurate-Counting---vF---8.7.24.pdf>

application, they are asked to provide the state they are currently registered in, if any.<sup>15</sup> If the application is approved by the general registrar, ELECT then notifies the appropriate authority of the state the applicant was previously registered in that the voter is now registered in Virginia. Between September 1, 2023 and August 31, 2024, ELECT sent notifications for 87,246 registrants to 52 U.S. states and territories for their own list maintenance processes.

When a voter registered in Virginia moves to another state and registers to vote there, the voter often notifies the new state that they were previously registered in Virginia. The new state should then notify Virginia that the voter desires to cancel their Virginia voter registration. The voter also has the option of directly notifying Virginia through form ‘ELECT-427A Request to Cancel Voter Registration’, which can be found on ELECT’s website.<sup>16</sup>

### Data Sharing Agreements

Va. Code § 24.2-404.4 requires ELECT to conduct voter list comparisons with Virginia’s neighboring states to maintain the accuracy of the list of registered voters. Virginia’s bordering states and jurisdictions are Kentucky, Maryland, North Carolina, Tennessee, West Virginia, and the District of Columbia.

In the fall of 2023, ELECT began a new initiative to establish one-to-one data sharing agreements with several states. As of August 2024, Virginia maintains one-to-one data sharing agreements with Kentucky, Tennessee, Washington D.C., and West Virginia (each of which is a border state), as well as Georgia, Ohio, and South Carolina. These agreements enabled ELECT to match its list of registered voters directly with lists belonging to partner states. Each data sharing agreement enables ELECT to compare two types of lists between the states: the *List of Registered Voters* and the *List of Those Who Voted*.

### Lists Exchanged with Other States

List Type	Contents	Purpose of Comparison
List of Registered Voters	Every registered voter in the state or jurisdiction at the time of the exchange	Registrants who exist on both lists with more recent activity in the partner state are marked for confirmation
List of Those Who Voted	Every registered voter in the state or jurisdiction who voted in a designated Federal General Election	Voters who exist on both lists are reviewed for potentially suspicious voting activity

<sup>15</sup> See the Code of Virginia § 24.2-418(A)

<sup>16</sup> Virginia Department of Elections, Registration, Voter Forms, Voter Registration Cancellation, <https://www.elections.virginia.gov/registration/voter-forms/cancel-registration.html/>



Throughout 2023 and 2024, ELECT contacted Maryland and North Carolina in an effort to establish similar data sharing agreements with those border states (See Appendix A). Maryland responded to these requests by citing ongoing litigation as a barrier to signing any such agreement. North Carolina declined to sign any such agreement with the Commonwealth, instead referring ELECT staff to a list of registered voters that was publicly available. As noted most recently in the 2022 Annual List Maintenance Report<sup>17</sup>, the publicly available list of North Carolina voters does not contain voters' full year of birth or Social Security Number and therefore does not provide sufficient data for a comparison against Virginia's list of registered voters.

### Development of Secure Repeatable Processes

Between September 1, 2023 and August 31, 2024, ELECT refined and executed a secure and reproducible process to exchange both lists mentioned in the data sharing agreements with partner states. This process includes documenting roles and responsibilities, agreeing to standard data exchange formats and delivery processes, agreeing to shared data masking processes to ensure sensitive PII such as full dates of birth and Social Security Numbers are not readable but can still be used for matching, performing a test exchange with synthetic data to ensure any masked PII can be used for matching, performing an exchange with real ("production") data, and destroying the lists used in the exchange.

### Results

Between September 1, 2023 and August 31, 2024, ELECT compared the Virginia list of registered voters against the lists of registered voters in partner states. Together, these comparisons will lead approximately 29,887 registered Virginia voters to be marked for confirmation. That total reflects only registrants who matched a partner state's list of registered voters *and had more recent voter activity in the partner state than in Virginia*. Registrants who matched between both lists and had more recent activity in Virginia were classified as Virginia registrants and will not be marked for confirmation as a result of their appearance on a partner state's list.

### Comparisons between Lists of Registered Voters

These results underscore the importance of data sharing arrangements between states for a variety of reasons. First, these exchanges enabled ELECT to cross-validate address change information from the NCOA registry against other states' lists of registered voters. ELECT data analysts compared data for registrants who, according to the NCOA registry, moved from Virginia to a partner state against the partner state's list of registered voters and identified 877 matches. This affirms that the NCOA data can properly identify Virginia voters who moved out-of-state. Second, these exchanges illustrated that NCOA data is necessary but not sufficient for identifying Virginia registrants who moved out-of-state. The majority of voter registration

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<sup>17</sup> Virginia Department of Elections, 2022 Annual List Maintenance Report, October 2023

records that matched between Virginia and its partner states were sourced to partner states' lists of registered voters, as opposed to matches from the NCOA registry.

## Duplicate Registrations

One reason ELECT is required to exchange its list of registered voters with other states is for the purpose of identifying and eliminating duplicate registrations.<sup>18</sup> While exchanging data with other states identifies cross-state duplicates, additional checks are necessary to minimize the number of in-state duplicates. For this reason, ELECT uses an automated process to perform daily scans of the entire list of registered voters for duplicate registrations.

In December 2023, ELECT developed an internal process to search the list of registered voters for potential duplicate registrations. This process runs each day and sends potential duplicate registrations to local general registrars for their manual review. Between December 2023 and August 31, 2024, this process identified 1,816 duplicates that were sent to general registrars for their review.

## Confirmation Mailings

### Federal Requirements

Voters who may have moved are identified and contacted through the federally mandated NCOA confirmation process mandated by both § 24.2-428 of the Code of Virginia and 52 USC § 20507 of the NVRA.

The NCOA confirmation process prescribed by § 20507(c) of the NVRA requires a state established program to utilize change-of-address information supplied by the United States Postal Service (USPS) or through its licensees to identify registrants whose addresses may have changed. The Commonwealth of Virginia further requires voters to be included in the NCOA confirmation process if a.) any election mail sent to a registered voter is returned as undeliverable or; b.) if a voter provides an address on a candidate or referendum petition that differs from the address for the voter in VERIS, pursuant to § 24.2-428.1.

Unlike other list maintenance processes conducted throughout the year pursuant to § 20507(c)(2)(B)(i), this program must be completed “not later than 90 days prior to the date of a primary or general election for Federal office.”<sup>19</sup>

### Overview of Process

The NCOA database catalogs change of address requests submitted by individuals to the USPS. ELECT accesses this database through its contract with *Melissa Data*, a global leader in data quality and address verification. Using data from the NCOA database, ELECT identifies voters registered in Virginia who may have moved and may need to update or cancel their voter registration. Voters registered in Virginia who are identified as potential movers by the NCOA list are then sent a confirmation notice by forwardable mail to their last known Virginia address.

<sup>18</sup> See the Code of Virginia § 24.2-404.4

<sup>19</sup> See the National Voter Registration Act 52 U.S.C. § 20507(c)(2)(A)

These letters include a postage prepaid envelope and a confirmation form that voters can utilize to either: (i) confirm that their address did or did not change, or (ii) to request that the general registrar cancel their registration, if appropriate.

#### Active vs. Inactive Voter Status

Voters who respond to the mailing within 30 days and confirm that their place of residence has not changed, or that their new address is in Virginia remain on the voter registration list as ‘Active’ Virginia-registered voters. Voters who do not respond to the notice within 30 days or whose confirmation mailing is returned as undeliverable are then classified as ‘Inactive’ on the voter registration list.

Voters who have been designated as ‘Inactive’ by the process outlined above may return to ‘Active’ status through a voter-initiated action such as change of address, re-registration, or voting in an election.<sup>20</sup> Additionally, ‘Inactive’ voters may still cast a ballot on Election Day. The voter must have their eligible voting status verified by the general registrar, sign a statement declaring that they are a qualified and registered voter of the precinct at which they are present, and be added to the pollbook by officers of election. However, following each federal general election, ELECT will cancel individuals who have been designated as ‘Inactive’ and have not voted for a period of two federal general elections as established in § 20507(d)(1)(B)(ii) of the NVRA.

#### Department of Motor Vehicles (DMV)

In addition to NCOA data, ELECT sends cancellation request mailers to those on the Virginia voter registration list who have been identified as having moved out-of-state. Each month ELECT receives an updated electronic file from the DMV of persons who have surrendered their Virginia driver’s license indicating relocation to another state. Once ELECT receives the file, VERIS automatically conducts a search for any potential matches of registered voters contained on the list. The potential matches are provided to the appropriate general registrar for review, and the general registrar may initiate a request for a confirmation notice to be sent to the voter. Mailers sent through this process reach registrants soon after they move out-of-state, allowing voters to cancel their registration immediately without having to wait for the routine confirmation mailing process. While this approach is not required, ELECT adheres to this best practice to ensure Virginia’s list of registered voters is as timely and accurate as possible. ELECT has cultivated an exceptional working relationship with the DMV and is enhancing existing data exchanges within this partnership through its participation in Executive Order 31.

#### Results

##### *Confirmation Mailings*

For the June 2024 NCOA Mailing, 151,711 mailers were sent out, including approximately 109,537 confirmation notices to registered voters who had potentially moved within or outside of

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<sup>20</sup> See the Code of Virginia § 24.2-428.2

their jurisdiction in Virginia. Approximately 42,174 cancellation request mailers were sent to voters' out-of-state addresses.

As a result of the confirmation mailing process, approximately 124,111 voters were classified as *'Inactive'* in June 2024. Since that time, 138 voters marked *'Inactive'* in June 2024 performed a voter-initiated action and have since become *'Active'* voters. Additionally, among voters marked *'Inactive'* after the June 2024 mailing, 7,456 individuals subsequently cancelled their voter registrations. A random sample of these records revealed that most of these voters returned the optional mailer ELECT sent to registrant's out-of-state addresses and requested that their registrations be cancelled.

#### *NVRA Cancellations and 2021 Comparison*

In January 2023, ELECT conducted the NVRA cancellation process that occurs after every federal general election. A total of 60,988 voter registrations were cancelled due to that process, as those voters remained *'Inactive'* for two general federal elections. That number of cancellations was low by comparison to previous NVRA cancellations since the 2020 confirmation mailing was not sent until *after* the 2020 November General election. Voter registrations set to *'Inactive'* following the 2020 November General election will not meet the threshold of missing two general federal elections until after November 2024. Due to the delay in the 2020 confirmation mailing, Virginians can expect a relatively higher number of NVRA cancellations in the year 2025.

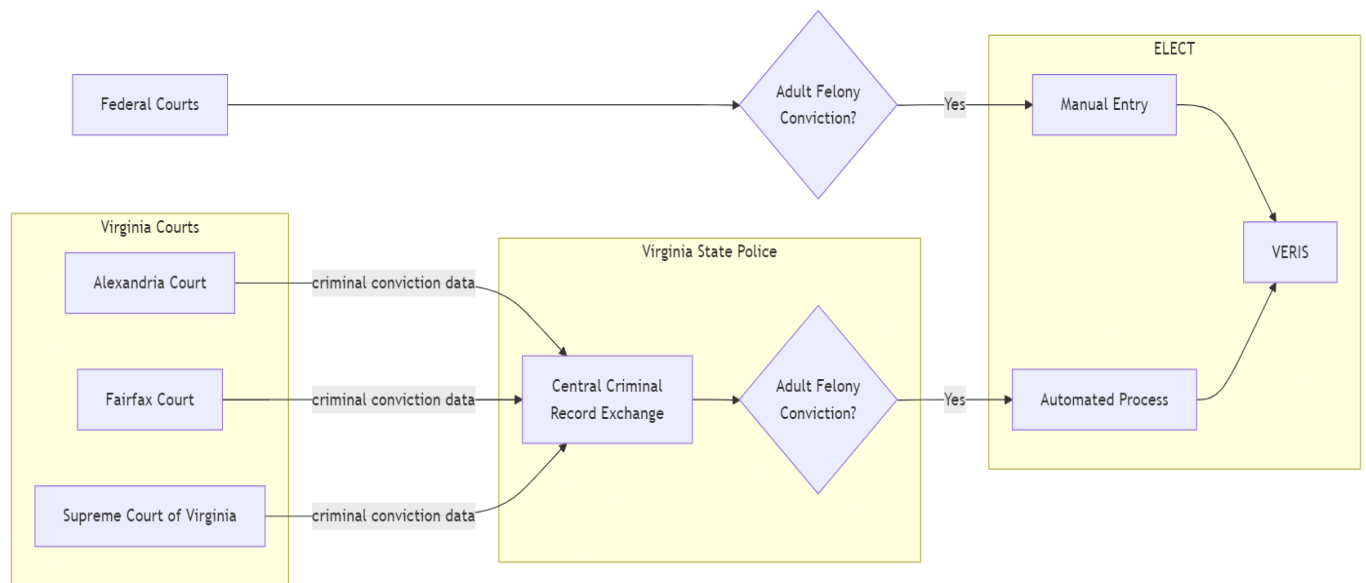
#### **Felon Records**

Felon records are received by ELECT from two sources:

- Code of Virginia § 24.2-409 requires the Virginia State Police (VSP) Central Criminal Record Exchange (CCRE) to provide ELECT with monthly lists of felony convictions. This section of the Code of Virginia also requires VSP to provide ELECT with an annual list of all felony convictions.
- NVRA requires that the U.S. Attorney's Offices provide ELECT with felony conviction information on the federal level. Code of Virginia § 24.2-409.1 requires ELECT to share this information with the local general registrars.

Each month, ELECT loads data from the CCRE downloaded from VSP into VERIS. The federal felony conviction information is received on paper at ELECT, and staff enters the conviction information into VERIS manually. The records are matched against existing registered voters and any potential matches are provided to the appropriate local general registrar for further review and processing.

### Felony Conviction Data Lineage



#### October 2023 Voter Reinstatement

In October of 2023, ELECT processed nearly 3,400 records of voters for reinstatement who were cancelled after violating their probation but were misclassified as having new felonies. This occurred as a result of reports provided by the Virginia State Police (VSP) to ELECT which listed probation violations on previous felony convictions as new felonies, even if those violations were not felonies.

ELECT received a monthly list of individuals convicted of felonies from the VSP which incorrectly included individuals on probation that violated that probation. Using its standard process, ELECT sent these records to local general registrars who removed the voters from the voter list and sent cancellation letters by mail in accordance with state law. A report of a discrepancy with an individual's reported felony conviction prompted ELECT to discover this error. Probation violations have been removed from the list of felony convictions sent to ELECT in monthly files since October of 2023. Additionally, given this process had gone unchanged for decades, ELECT requested VSP conduct a historical review of individuals cancelled to identify affected voters which resulted in nearly 3,400 records being sent to registrars for reinstatement.

Although all impacted voters were eligible to vote in the November 2023 election, ELECT worked with VSP to establish a Watch Team to ensure any person listed as having a felony conviction could be individually verified. No individuals listed as having a felony conviction were turned away from the polls and general registrars were able to contact the VSP Watch Team directly for confirmation regarding individual records. The Watch Team assembled in October and remained available to registrars until November 10th, 2023, the Friday after the election. After the Watch Team disbanded, ELECT and VSP remained in close contact. Following the Governor's enactment of Executive Order 31, VSP was the first of ELECT's data partners to provide a signed data sharing agreement and the first to deliver detailed technical

documentation describing its data processing rules. The resulting MOU was the first developed between VSP and ELECT in both agencies' histories.

### Results

From September 1, 2023 to August 31, 2024, 7,931 voter registrations were cancelled after a felony conviction was reported to ELECT.

### Restoration of Rights

Pursuant to § 53.1-231.2, ELECT receives a list of convicted felons monthly who have successfully presented petitions through the Secretary of the Commonwealth to the Governor to have their right to vote restored. This list is matched to Virginia's list of prohibited voters, and any matches are removed from the prohibited list in order to permit re-registration of the voter.

### Results

Between September 1, 2023 and August 31, 2024, ELECT processed 1,227 records of individuals who had their rights restored by the Governor.

### Mentally Incapacitated Adjudications

Pursuant to § 24.2-410 of the Code of Virginia, the Clerks of the Circuit Courts send ELECT a paper-based monthly report indicating any individuals who were adjudicated mentally incapacitated. This information is sent to the appropriate local general registrar for further review and processing.

### Results

From September 1, 2023 to August 31, 2024, 599 voter registrations were cancelled after a mentally incapacitated adjudication was reported to ELECT.

### Non-Citizen Records

Code of Virginia § 24.2-410.1 requires the DMV to request all customers identify their citizenship status when completing a transaction. On a monthly basis, the DMV shares the list of individuals who responded 'No' to the citizenship question to ELECT. ELECT matches this information to the list of existing registered voters, and any potential matches are provided to the appropriate local general registrar for further review and processing. This process results in the removal of any registered voter if the voter does not subsequently affirm their U.S. citizenship to the general registrar within 14 days of the registrar notifying the voter of the potential cancellation.

Pursuant to § 46.2-328.1 of the Code of Virginia, the Department of Motor Vehicles is required to provide the Department of Elections with a document number, if any, issued by an agency or court of the United States government indicating legal presence. This document number provides enough information for ELECT to run SAVE verification on non-citizens as authorized by § 24.2-404 of the Code of Virginia.

From September 1, 2023 to August 31, 2024, 2,099 voter registrations were cancelled after identifying as "non-citizens" within a DMV process.

## Death Records

Pursuant to Va. Code §§ 24.2-404.3 and 24.2-408, ELECT is required to ensure that voters who have died are removed from the voter registration list in a timely manner:

- Code of Virginia § 24.2-404.3 requires ELECT to conduct a match of the voter registration list against the list of deceased persons maintained by the Social Security Administration (SSA) on or before October 1 of each year. The SSA distributes its Limited Access Death Master File (LADMF) through the U.S. Department of Commerce's National Technical Information Service (NTIS).
- Code of Virginia § 24.2-408 requires the Bureau of Vital Statistics (BVS) at the Virginia Department of Health to provide ELECT a weekly list of those who have died in the previous month. Currently, the BVS uploads a weekly file to ELECT containing these records.

The records are matched against existing registered voters and any potential matches are provided to local general registrar for further review and processing.

Pursuant to § 24.2-427(B) of the Code of Virginia, general registrars are required to promptly cancel the registrations of persons known to be deceased or otherwise disqualified to vote. The death data ELECT receives from NTIS and BVS provide general registrars with this knowledge through routine processes, but registrars also receive reliable death reports from additional sources. The ELECT '427-B Report of the Death of a Registered Voter Form'<sup>21</sup> introduced by ELECT in February 2023, allows specific family members and officials to provide credible and actionable death reports directly to local registrars. General registrars can also utilize the National Association for Public Health Statistics and Information Systems (NAPHSIS) lookup tool, introduced by ELECT in March 2023, to request that ELECT perform a search of national death records sourced to the Electronic Verification of Vital Events (EVVE). Between September 1, 2023 and August 31, 2024, 420 NAPHSIS lookups were performed, allowing registrars to search for potential out-of-state deaths of Virginia residents

Between September 1, 2023 and August 31, 2024, ELECT significantly revised its processing of deaths sourced from the SSA. The previous method of processing deaths received from the SSA involved an annual comparison of the entire LADMF against Virginia's list of registered voters accompanied by monthly comparisons of newly-reported deaths against Virginia's list of registered voters. This process satisfied all statutory requirements and ensured that new deaths resulted in the timely cancellations of matching voter registrations. The revised process now combines the previous months deaths with the LADMF to compare the entire updated LADMF against Virginia's list of registered voters *each month*. This process enhances Virginia's list

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<sup>21</sup> Virginia Department of Elections, Forms warehouse, VERIS-Voter Registration, Cancellation, [https://www.elections.virginia.gov/media/formswarehouse/veris-voter-registration/cancellation/ELECT-427B-Report-the-Death-of-a-Registered-Voter\\_Final.pdf](https://www.elections.virginia.gov/media/formswarehouse/veris-voter-registration/cancellation/ELECT-427B-Report-the-Death-of-a-Registered-Voter_Final.pdf)



maintenance accuracy by ensuring deceased individuals are more efficiently identified and removed from voter registration lists.

Under Code of Virginia § 24.2-404(A) (9), ELECT may use additional sources of valid and reliable state agency data for the purposes of maintaining the voter registration system. This provision enabled ELECT to receive and process an ad hoc list of Virginia residents who died outside of Virginia in December 2023. This list, provided by BVS, contained 3,552 death records sourced to the Electronic Verification of Vital Events (EVVE). Of those records, ELECT sent 1,502 potential matches to local general registrars for review. By comparison, an average weekly file received from BVS yields approximately 1,003 potential matches to registered voters. ELECT intends to receive and process out-of-state deaths at least once annually as part of its data sharing agreement with VDH.

### Results

From September 1, 2023, to August 31, 2024, 62,356 deceased voters were removed from Virginia's voter list.

### Conclusion

Secure elections start with comprehensive list maintenance practices. Keeping Virginia's voter list as up to date as possible requires a dynamic and sustainable process that is compliant with both state and federal law. Virginia is constantly evaluating and improving upon existing processes, so that Virginians can have confidence in the accuracy of the voter list and that only those eligible to vote can vote.



## Appendix A: Letters to Remaining Neighboring States to Establish Data-Sharing Agreements



## COMMONWEALTH of VIRGINIA

### DEPARTMENT OF ELECTIONS

Susan J. Beals  
Commissioner

September 9, 2024

Mr. Jared DeMarinis  
Administrator of Elections, State of Maryland  
State Board of Elections  
151 West Street, Suite 200  
Annapolis, MD 21401

Dear Mr. DeMarinis:

Maintaining the accuracy of the voter registration system is a top priority for Virginia, as we work to identify duplicate registrations, voters who no longer reside in the Commonwealth, and other persons who are no longer entitled to be registered. The Code of Virginia § 24.2-404.4 requires that Virginia compares its voter registration list to those of neighboring states annually, which is fundamental to this goal. Over the past year, Virginia has established individualized data sharing partnerships with 7 states. During this time, we have refined and executed a secure and reproducible process to exchange both our voter registration list and the list of those who voted with partner states. This process includes documenting roles and responsibilities, agreeing to standard data exchange formats and delivery processes, performing both a test exchange and an exchange with real data, and destroying the lists used in the exchange.

We respectfully request that Maryland provide Virginia with a current list of registered voters so that we can conduct our own comparison of our lists. Upon request, Virginia will share the results of such a comparison with your office. Excluding any matches, Virginia will destroy all data received from your state office once the review is complete. We will also attempt to contact any Maryland voters that match an older Virginia record at both their Maryland and Virginia addresses in hopes that the voters will contact Virginia and update their record accordingly.

Thank you in advance for your consideration. I look forward to receiving your formal response. If you have any questions, please feel free to contact me directly at [susan.beals@elections.virginia.gov](mailto:susan.beals@elections.virginia.gov) or via telephone at 804-864-8901.

Many thanks,

A handwritten signature in black ink, appearing to read "Susan Beals".

Susan J. Beals, Commissioner

Washingtton Building, 1100 Bank Street, First Floor, Richmond, VA 23219

Toll-Free: (800) 552-9745

TTY: (800) 260-3466 [www.elections.virginia.gov](http://www.elections.virginia.gov)



## COMMONWEALTH of VIRGINIA DEPARTMENT OF ELECTIONS

Susan J. Beals  
Commissioner

September 9, 2024

Karen Brinson Bell  
Executive Director, State of North Carolina  
State Board of Elections  
Dobbs Building  
430 N. Salisbury Street, 3<sup>rd</sup> Floor  
Raleigh, NC 27603-1362

Dear Ms. Brinson Bell:

Maintaining the accuracy of the voter registration system is a top priority for Virginia, as we work to identify duplicate registrations, voters who no longer reside in the Commonwealth, and other persons who are no longer entitled to be registered. The Code of Virginia § 24.2-404.4 requires that Virginia compares its voter registration list to those of neighboring states annually, which is fundamental to this goal. Over the past year, Virginia has established individualized data sharing partnerships with 7 states. During this time, we have refined and executed a secure and reproducible process to exchange both our voter registration list and the list of those who voted with partner states. This process includes documenting roles and responsibilities, agreeing to standard data exchange formats and delivery processes, performing both a test exchange and an exchange with real data, and destroying the lists used in the exchange.

We respectfully request that North Carolina provide Virginia with a current list of registered voters so that we can conduct our own comparison of our lists. Upon request, Virginia will share the results of such a comparison with your office. Excluding any matches, Virginia will destroy all data received from your state office once the review is complete. We will also attempt to contact any North Carolina voters that match an older Virginia record at both their North Carolina and Virginia addresses in hopes that the voters will contact Virginia and update their record accordingly.

Thank you in advance for your consideration. I look forward to receiving your formal response. If you have any questions, please feel free to contact me directly at [susan.beals@elections.virginia.gov](mailto:susan.beals@elections.virginia.gov) or via telephone at 804-864-8901.

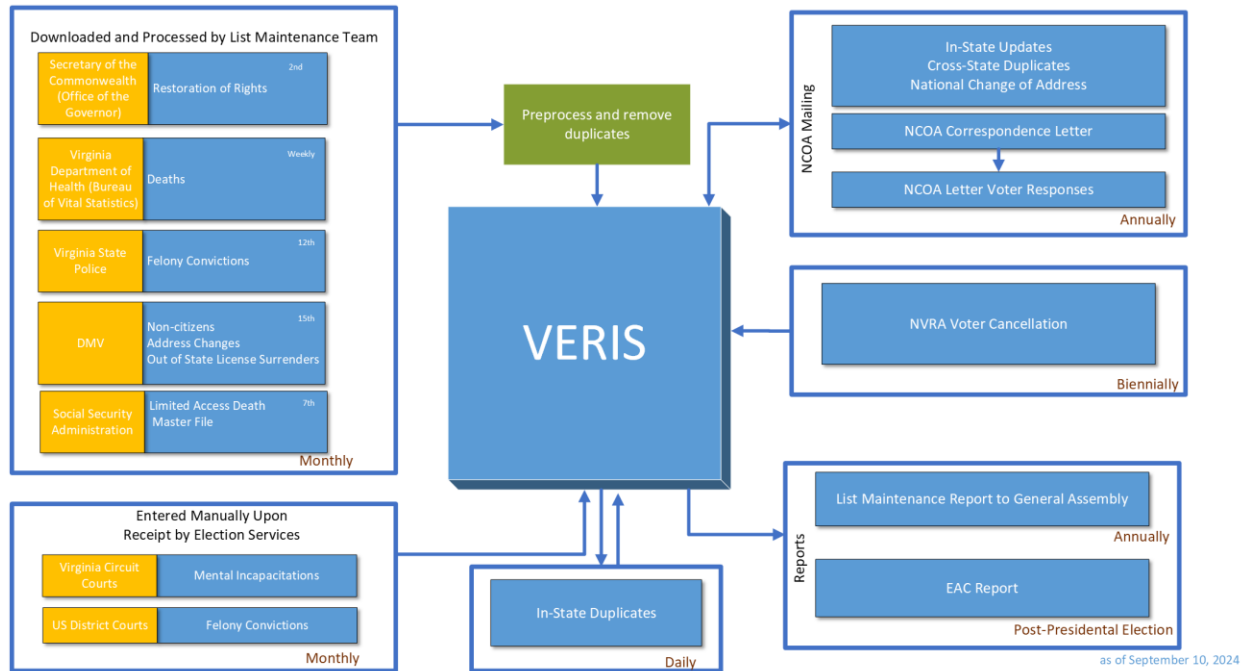
Many thanks,

A handwritten signature in black ink, appearing to read "Susan Beals".

Susan J. Beals, Commissioner

## Appendix B: List Maintenance Sources and Processing Frequency Diagram<sup>22</sup>

### List Maintenance Processes



<sup>22</sup> Although not depicted in the graphic above, ELECT started receiving DMV non-citizen data daily as a result of EO 35 on August 8, 2024

# List Maintenance Processes: GR Actions

